

BOROUGH COUNCIL OF KING'S LYNN & WEST NORFOLK**PLANNING COMMITTEE**

Minutes from the Meeting of the Planning Committee held on Thursday, 24th February, 2022 at 9.30 am in the Assembly Room, Town Hall, Saturday Market Place, King's Lynn PE30 5DQ

PRESENT: Councillor Mrs V Spikings (Chair)
Councillors Miss L Bambridge, F Bone, C Bower, A Bubb, M de Whalley, G Hipperson, A Holmes, C Hudson, B Lawton, C Manning, C Rose, J Rust, C Sampson, S Squire, M Storey, D Tyler and D Whitby

PC27: **WELCOME**

The Chairman, Councillor Mrs Spikings welcomed everyone of the meeting. She advised that the meeting was being recorded and streamed live on You Tube.

The Democratic Services Officer carried out a roll call to determine attendees.

PC28: **APOLOGIES**

Apologies for absence were received from Councillor Mrs Nockolds (Councillor Sampson substitute), Councillor Parish (Councillor de Whalley substitute) and Councillor Patel (Councillor Bambridge substitute).

The Chairman thanked the substitutes for attending the meeting.

PC29: **MINUTES**

The Minutes of the Meeting held on 7 February 2022 were agreed as a correct record and would be signed by the Chairman, Councillor Mrs Spikings.

PC30: **DECLARATIONS OF INTEREST**

There were none.

PC31: **URGENT BUSINESS UNDER STANDING ORDER 7**

There was no urgent business pursuant to Standing Order 7.

PC32: **MEMBERS ATTENDING UNDER STANDING ORDER 34**

The following Councillors attended under Standing Order 34:

Cllr T Parish 8/1(a) Walpole

A statement was read out from Councillor Blunt in relation to 8/1(a)

PC33: **CHAIRMAN'S CORRESPONDENCE**

The Chairman, Councillor Mrs Spikings reported that any correspondence received had been read and passed to the appropriate officer.

PC34: **RECEIPT OF LATE CORRESPONDENCE ON APPLICATIONS**

A copy of the late correspondence received after the publication of the agenda, which had been previously circulated, was tabled. A copy of the agenda would be held for public inspection with a list of background papers.

PC35: **INDEX OF APPLICATIONS**

The Committee noted the Index of Applications.

a **Decisions on Applications**

The Committee considered schedules of applications for planning permission submitted by the Executive Director for Planning & Environment (copies of the schedules are published with the agenda). Any changes to the schedules are recorded in the minutes.

RESOLVED: That the applications be determined, as set out at (i) – (iv) below, where appropriate, to the conditions and reasons or grounds of refusal, set out in the schedules signed by the Chairman.

- (i) **21/01442/FM**
Walpole: Land east Marsh, S of Gunthorpe Road, W of Flowers Farm and Frenchs Road, The Marsh, Walpole St
Andrew: Installation of a solar farm and battery storage facility with associated infrastructure: Walpole Green Limited

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The Senior Planner introduced the report and explained that this was a cross-boundary application duplicated with application ref: H18-0741-21 being processed by South Holland District Council (SHDC). At its meeting of the Planning Chairman's Panel on 21 January 2022, SHDC

devolved its decision-making authority to this Council, with a recommendation of approval.

The site (approximately 78 ha of agricultural land) was located immediately west / south-west of the hamlet of Walpole Marsh and east of Foul Anchor and Tydd Gote. The latter two settlements were sited on the opposite side of the River Nene, which ran along the western site boundary, and beyond the Borough Council's remit (Fenland District Council and SHDC accordingly). The site had a flat topography with open views, but with 4 no. overhead high voltage power lines supported by the pylons that crossed the site. The Walpole St Peter Footpath 1 also crossed the centre of the site in an east west direction. This effectively constituted the administrative boundary with SHDC, so the NE parcel of land was located within SHDC and the SW parcel was located within this Council's jurisdiction (plus the connection route to the National Grid).

This was a full planning application for the installation of a solar farm and battery storage facility with associated infrastructure and access via Gunthorpe Road.

The solar farm was predicted to have a peak output of 49.9MW, which could power the equivalent of more than 10,150 average homes in the England. The development was anticipated to have a lifespan of 35 years, after which the land would be returned to full agricultural use. Sheep grazing was proposed in the interim so the land would not be fully lost to agriculture / food production. Biodiversity and landscaping enhancements were proposed as part of the development.

The electricity generated by the solar development would be fed into the National Grid at the Walpole Substation via underground cables mostly following the highway network.

The application had been submitted following Environmental Impact Assessment screening and a public consultation exercise.

The application had been referred to the Committee for determination at the request of Councillor Blunt and there were also objections from Walpole Parish Council and Sutton Bridge Parish Council that were contrary to the officer recommendation.

The Committee noted the key issues for consideration when determining the application, as set out in the report.

In accordance with the adopted public speaking protocol, Mr D Penasa (objecting) and Simon Wheeler (supporting) addressed the Committee in relation to the application.

Under Standing Order 34 Councillor Parish addressed the Committee and outlined his concerns in relation to the application.

The Democratic Services Officer read out a letter from Councillor Blunt outlining his concerns in relation to the application.

The Senior Planner responded to queries raised by the objector, those raised in Councillor Blunt's statement and those raised by Councillor Parish in relation to:

- The attraction of the sub-station to developers. The electricity would go into the national grid and used for general consumption.
- The use of other sites was detailed on page 26 of the agenda.
- The landscape assessment
- A condition was proposed regarding construction traffic over a 7-month period consisting of 8 HGVs and 5 light goods vehicles a day were expected.
- Lincolnshire County Council Highways had no objection to the application.
- Food production.
- He also referred to the Planning Inspector's decision notice appended to the report in respect of land at Rose and Crown Farm, Mill Road, Walpole St Andrew, which had been allowed at appeal.

The Chairman, Councillor Mrs Spikings pointed out that on page 46 of the agenda, there was mention of a local butchering business in Upwell, but that was not connected to her.

Councillor Squire informed the Committee that normally she supported renewable energy schemes she had concerns over the cumulative impact of the proposal, the road network and that they could not cope with any more HGVs and food security.

Councillor de Whalley asked for clarification regarding the battery storage and the Senior Planner provided this later in the meeting. The Senior Planner also confirmed that the Norfolk Fire and Rescue Service had no objection to the application provided it complied with Building Regulations.

The Chairman added that she knew the area very well and was concerned about the amount of land being used for solar farms around the Walpole area. She considered that the proposal was too big and would be taking land out of food production. She therefore proposed that the application be refused, which was seconded by Councillor Squire.

Councillor Holmes stated that he disagreed with some of the comments. He referred to a solar farm in Downham Market which was invisible. With regards to food security, he added that this country had been importing food for 200 years. He further added that with regards to transport, agricultural vehicles caused more damage to verges, etc than HGVs.

Councillor Sampson asked that if permission was to be granted, works be delayed until the end of the nesting season. If the land was taken away, then food security would be affected.

Councillor Rust added that this was a fine balance. The needs of the residents of that area needed to be taken into account, against the need for renewable energy.

Councillor Storey stated that there were two issues to be considered, food production and the form and character of the area and cumulative impact.

The Assistant Director clarified that the reason for refusal was the cumulative impact and the loss of agricultural land.

The Democratic Services Officer then carried out a roll call on the recommendation to refuse the application and, after having been put to the votes, was carried (15 votes for and 3 against).

RESOLVED: That the application be refused, contrary to recommendation, for the following reasons:

The benefits of the production of renewable energy from the proposed development, fails to outweigh the loss of 78 hectares of grade 1 agricultural land for food crops, which is exacerbated by the cumulative impact of the loss of other high grade agricultural land to solar farms in this locality. This is considered to be contrary to Policy DM20 of the SADMPP (2016).

The Committee then adjourned at 10.40 am and reconvened at 10.50 am

- (ii) **21/02378/F**
Grimston: Barn N of Vong Farm, Vong Lane, Pott Row: Demolition of existing agricultural barn (which has Class Q approval to two dwellings (ref: 20/00191/PACU3)) and replace with new residential dwellings (2 no): F K Coe & Son Ltd

[Click here to view a recording of this item on You Tube.](#)

The Planning Control Manager introduced the report and explained that the application sought planning permission for the demolition of an existing agricultural barn and replace with two new residential dwellings. The existing barn was granted Class Q Prior Approval under application (ref 2/00191/PACU3) for the change of use to become two dwellings.

The application site was located within Pott Row, which was identified as a Key Rural Service Centre within the Core Strategy and SADMP, however the site was positioned outside of the defined settlement boundary and was therefore considered as countryside in policy terms.

The site was not located within a Conservation Area or AONB nor was the site host to any listed buildings.

The application had been referred to the Committee for determination at the request of Councillor Manning.

The Committee noted the key issues for consideration when determining the application, as set out in the report.

In accordance with the adopted public speaking protocol, Councillor M Pitcher (on behalf of Grimston Parish Council) and Katy Coe (supporting) addressed the Committee in relation to the application.

Councillor Manning (Ward Councillor) outlined his concerns regarding the application. He stated that the application should be deferred to obtain legal advice. He highlighted that on the application form that the box 'relationship to staff / member had been ticked.

The Assistant Director advised that because the box had been ticked, the application had been presented to the Committee. He added that approval had already been granted under Class Q.

The Planning Control Manager advised that case law had been detailed on page 59 and 60 of the agenda. It also explained the fall-back position should the application be refused. She also highlighted the garden areas to the properties on the plans.

Councillor Bubb proposed that the application should be refused as it did not enhance the form and character of the area.

Councillor de Whalley explained that he was a member of Grimston Parish Council but had not voted on the application. He stated that he considered the application to be an unattractive design and had limited amenity space.

Other Members of the Committee stated that they quite liked the design.

Upon hearing the comments by officers Councillor Manning and Bubb withdrew their earlier proposals.

The Democratic Services Officer then carried out a roll call on the recommendation to approve the application and, after having been put to the vote, was carried (13 votes for, 2 against and 2 abstentions).

RESOLVED: That the application be approved, as recommended.

(iii) 21/02391/CU

King's Lynn: Community Centre, Centre Point: Proposed change of use of part of existing building from Community Centre to new Sixth Form Centre, minor internal alterations, external areas to consist of new asphalt play surface, new sail type canopy, replacement boundary fencing and screening: Children's Services Department

[Click here to view a recording of this item on You Tube.](#)

The Planning Control Manager introduced the report and explained that the application sought permission for the proposed change of use of part of an existing building from a community centre to a new sixth form centre with minor alterations, external areas to consist of new asphalt play surface, new sail type canopy, replacement boundary fencing and screening.

The application site is located within King's Lynn, which was identified as a Sub-Regional Centre and a Key Centre for Development and Change within the Core Strategy and SADMP where major growth would be focussed to enable the town to deliver the services and facilities necessary for a sub-regional centre.

The site was located within a precinct including shops serving the wider Fairstead estate, with an existing parking area located next to the precinct.

The application had been referred to the Committee for determination at the request of Councillor Mrs Wilkinson.

The Committee noted the key issues for consideration when determining the application, as set out in the report.

In accordance with the adopted public speaking protocol Gyn Hambling (supporting) addressed the Committee in relation to the application.

In accordance with Standing Order 34, Councillor Mrs Wilkinson addressed the Committee.

Councillor Rust advised that her husband's cousin was the Head Teacher at Churchill Academy. Councillor Rust and several Members of the Committee stated that they supported the application.

The Democratic Services Officer then carried out a roll call on the recommendation to approve the application and, after having been put to the vote, was carried unanimously.

RESOLVED: That the application be approved, as recommended.

(iv) 21/02091/F

Marshland St James: Fenberry Farm Ltd, 84B Smeeth Road: Construction of 2 pairs of 3-bedroom semi-detached starter homes: Thorpe

[Click here to view a recording of this item on You Tube.](#)

The Planning Control Manager introduced the report and explained that the application sought full planning permission for the construction of two pairs of three-bedroom semi-detached dwellings on a parcel of vacant / agricultural land. The application site was located to the north of Smeeth Road, located fairly centrally within the settlement. The site was approximately 0.1ha in size and access was proposed off Smeeth Road.

Marshland St James was categorised as a Joint Rural Village in the adopted Local Plan. The application site was located outside of Marshland St James' development boundary, as identified on Inset Map G57 of the Site Allocations and Development Management Policies Plan (2016) (SADMPP) where normally proposals for housing were more restrictive.

However, in this case it was the view of officers that there were material considerations that would allow, on balance, the granting of planning permission.

The application had been referred to the Committee for determination at the request of the Planning Sifting Panel.

The Committee noted the key issues for consideration when determining the application, as set out in the report.

The Chairman, Councillor Mrs Spikings referred to the TROD at the front of the site and asked of this could be protected. The Planning Control Manager added that this was classed as part of the highway, but an informative note could be added to the decision notice.

The Democratic Services Officer then carried out a roll call on the recommendation to approve the application and, after having been put to the vote, was carried unanimously.

RESOLVED: (A) That the application be approved, subject to the completion of a Section 106 agreement within four months of the date of the resolution to approve.

(B) That the application be refused, if the Section 106 Agreement was not signed within four months of the date of the resolution to approve.

The meeting closed at 11.50 am

